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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

HECTOR L. HUERTAS,

) HON. ROBERT B. KUGLER

)

Plaintiff,

) Civil Action No. 1:08-cv-3959 RBK-  
KMW

)

vs.

)

PREMIERE CREDIT OF NORTH  
AMERICA, LLC, et al.

) **NOTICE OF CROSS MOTION  
OF PREMIERE CREDIT OF  
NORTH AMERICA, LLC TO  
DISMISS THE COMPLAINT OF**

Defendants.

) **PLAINTIFF PURSUANT TO  
F.R.Civ.P. 37(b)(2)(A)(v)**

) Return date: June 25, 2010

)

) **DOCUMENT  
ELECTRONICALLY  
FILED**

To: Hector L. Huertas  
2205 Sewell Street  
P.O. Box 448  
Camden, NJ 07101  
Plaintiff, pro se

PLEASE TAKE NOTICE that on Monday, June 21, 2010, defendant Premiere Credit of North America, LLC shall cross-move before the Honorable Robert B. Kugler, United States District Judge, at the Mitchell H. Cohen Building & United State Courthouse, 1 John F.

Gerry Plaza, 4<sup>th</sup> and Cooper Streets, Camden, New Jersey, to dismiss this action with prejudice under F.R.Civ.P. 37(b)(2)(A)(v).

In support of this cross motion Defendant Premiere Credit of North America, LLC will rely upon: (1) the pleadings and the record in this case; (2) The Declaration of Counsel, with Exhibits A - D filed with this notice, and (3) a Memorandum of Law, filed with this motion. A proposed form of Order is also submitted with this motion. Defendant Premiere Credit of North America, LLC also joins in the matter of the federal defendants to dismiss the complaint pursuant to F.R.Civ.P. 37(b)(2)(A)(v) and specifically incorporates in this cross motion such parts of that motion as are relevant.

PRESSLER AND PRESSLER, LLP  
Attorneys for Premiere Credit of North America, LLC

Dated: June 7, 2010

s/Steven P. McCabe  
By: \_\_\_\_\_  
Steven P. McCabe